

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)
vs.) CR. NO. 2:06-cr-215-MEF-VPM
SANTO COLEMAN, et al.)

MOTION TO CONTINUE

COMES NOW the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and files the above captioned motion as follows:

1. On November 23, 2006, Alberto Villareal was arrested at the airport in Vancouver, Canada. The United States will initiate extradition proceedings to bring defendant Villareal to the United States to stand trial should extradition become necessary. Defendant Villareal may opt to waive extradition which will make further extradition proceedings unnecessary. Due to the Thanksgiving holiday, the lateness in the day when defendant Villareal was taken into custody, and the inability to contact Canadian counsel for defendant Villareal, the United States is unable to provide more detail.

2. The United States respectfully requests that the instant case be continued to allow the United States to obtain the presence of defendant Villareal in the United States. The Speedy Trial Act expressly excludes such time. 18 U.S.C. § 3161(h)(3)(A). The United States submits defendant Villareal is also a material witness in this matter and therefore the trial should be delayed to allow the United States to obtain the physical presence of the defendant in the United States.

Respectfully submitted this 24th day of October, 2006.

LEURA G. CANARY
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that on October 24, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Christine Freeman, Joe M. Reed, Esquire and Rodney N. Caffey, Esquire.

Respectfully submitted,

s/Terry F. Moorer
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